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EXAMINER
LANEAU, RONALD

ART UNIT	PAPER NUMBER
3627	

DATE MAILED: 06/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/884,379	KIMBLE, CHRISTOPHER JOHN
	Examiner	Art Unit	
	Ronald Laneau	3627	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 April 2004*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

Response to Amendment

1.   The amendment filed on 4/15/04 has been entered. Claims 1-20 are pending and stand

rejected.

Drawings

2.   The drawings were received on 4/15/04. The examiner accepts these drawings.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   Claims 1, 4, 6, 9-10, 15, 17, and 18 are rejected under 35 U.S.C. 102(e) as being

anticipated by Solokl, et al. (6,173,269 B1).

As per claim 1, Solokl teaches a method for prohibiting predetermined categories of

online purchases (Abstract - transactions are limited only to those vendors approved by teens

parents; an important feature of the invention is the ability of the parent to accept a service

approved list of appropriate merchants, appropriate merchant categories, i.e. predetermined

categories of online purchases; the use of the service also prevents the sale of illicit items such as

liquor, non-prescription drugs, or pornography and can inspect sites before they are added to the

service's approved list and thereby prevent teen access to undesirable sites or specific products/services on otherwise approved sites, cols. 5-6, lines 56-6), comprising:

Generating a database of user specific preferences (the service maintains a database of service members, as well as member profiles that include such information as spending limits per transaction types of products that may be purchased, and source of funds, col. 6, lines 63-66);

Generating a categorized database of websites offering online purchases (merchant sites) within the services system (the service maintains a database of service members, as well as member profiles that include such information as spending limits per transaction types of products that may be purchased, and source of funds, col. 6, lines 63-66; in the presently preferred embodiment the service screens merchants that are known to be reputable and are known to carry only merchandize and services appropriate for teens and may provide subsets of this list, such as entertainment or clothing, col. 9, lines 8-13);

Determining if the online purchase request corresponds to an entry in the categorized database of web sites offering online purchases (teens privileges are automatically enforced by the service matching a desired transaction to the profile established by the teen's parents, includes categorized database of websites offering online purchases and a separate profile, col. 9, lines 8-27); and

Prohibiting the online purchase request if a corresponding entry is found in the categorized database of web sites offering online purchases and if the user specific preferences indicate that that the online purchase request corresponds to a type of purchase to be prohibited (teens privileges are automatically enforced, col. 9, lines 8-27).

As per claim 4, Solokl teaches determining if the online purchase request corresponds to an entry in the categorized database of web sites offering online purchases by indexing into the categorized database with a parameter representative of the web site receiving the online purchase request to determine if a matching parameter resides in the categorized database of web sites (cols. 5-6, lines 56-12; col. 6, lines 63-66; note the definition of "parameter representative of set forth above).

As per claim 6, Solokl teaches that the receiving of an online purchase request includes intercepting the online purchase request in an Internet service provider (col. 6, lines 8-12 - the interception occurs at service.com, the Internet service provider).

As per claim 9, Solokl teaches a method for prohibiting selected online purchases (Abstract - transactions are limited only to those vendors approved by teens parents; an important feature of the invention is the ability of the parent to accept a service approved list of appropriate merchants, appropriate merchant categories, i.e. predetermined categories of online purchase requests the use of the service also prevents the sale of illicit items such as liquor, non-prescription drugs, or pornography and can inspect sites before they are added to the service's approved list and thereby prevent teen access to undesirable sites or specific products/services on otherwise approved sites, cols. 5-6, lines 56-6), comprising:

Accessing the preferences i.e. the predetermined list of items to determine the allowed items and the prohibited items i.e. items not on the predetermined list(cols. 5-6, lines 5612; col. 6, lines 63-66; col. 9, lines 8-25).

Receiving an online purchase request (cols. 5-6, lines 47-12);

Indexing into a categorized database of online websites with a parameter representative of a web site intended to receive the online purchase request to determine if the web site intended to receive the online purchase request is a type of web site from which a user desires to prohibit purchases from (cols. 5-6, lines 56-12; col. 6, lines 63-66; col. 9, lines 8-27); and

Blocking the online purchase request from being processed if the web site intended to receive the online purchase request is a type of web site from which the user desires to prohibit purchases from (cols. 5-6, lines 56-12; col. 9, lines 8-27).

As per claim 10, Solokl teaches storing user information representative of the types of purchases the user desires to prohibit in an electronically accessible database (cols. 5-6, lines 56-12; col. 6, lines 63-66; col. 9, lines 8-25).

Claim 15 is rejected for the sane reason as claim 6.

As per claim 17, Solokl teaches receiving an online purchase request that intercepts the online purchase request using a software process configured to cooperative(ly) operate with a browser program on the user's personal computer (col. 5, lines 12-18 - service.com is a software process configured to cooperatively operate with the browser program on the user's personal computer, the software is resident on the Internet - the claim does not specify that the software resides locally only that it cooperatively operate with the browser program on the user's personal computer).

As per claim 18, Solokl teaches a method for blocking predetermined categories of online purchases (Abstract - transactions are limited only to those vendors approved by teens parents; an important feature of the invention is the ability of the parent to accept a service approved list of appropriate merchants, appropriate merchant categories, i.e. predetermined categories of

online purchases; the use of the service also prevents the sale of illicit items such as liquor, non-prescription drugs, or pornography and can inspect sites before they are added to the service's approved list and thereby prevent teen access to undesirable sites or specific products/services on otherwise approved sites, cols. 5-6, lines 56-6), comprising:

Receiving an online purchase request from a user, the online purchase request being associated with a parameter representative of an online merchant receiving the online purchase request (cols. 5-6, lines 47-12; note the definition of "parameter representative of above);

Determining if the online merchant offers categories of purchases that the user desires to prohibit by searching a categorized database of known online merchants with the parameter representative of the online merchant (cols. 5-6, lines 47-12 and 63-66); and

Blocking the completion of the online purchase request if the online merchant is determined to offer categories of purchases that the user desires to prohibit (col. 9, lines 16-30).

Claim 20 is rejected for the same reasons as claim 6.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 2, 7, 16, and 20 rejected under 35 U.S.C. 103(a) as being unpatentable over Solokl et al. (6,173,269 BI).

As per claim 2, while Solokl teaches that the generating of a database of user specific preferences includes receiving user information corresponding to user credit card information and types of purchases that the user desires to prohibit (col. 5, lines 56 to col. 6, line 12, col. 6, lines 40-50) and 63-66, col. 9, lines 8-25), the receiving of user information corresponding to user credit card information is only one type of payment information that Solokl teaches prohibiting. Solokl teaches the advantage of utilizing credit card are that they are universally accepted and protection can be applied prior to providing the purchase authorization code to the merchant for the transaction and thus, the service may be used universally (col. 6, lines 40-50). Therefore, it would have been obvious to one of ordinary skill in the art to have generated a database of the user specific preferences as taught by Solokl for the specific reasons set forth in the reference.

As per claim 7, Sokokl teaches that the receiving of an online purchase request includes intercepting the online purchase request in a credit card company's credit card authorization system (fig. 1-30, col. 6, lines 40-40).

Claim 16 is rejected for the same reasons as claims 7 and 9.

Claim 20 is rejected for the same reasons as claims 7 and 18.

7.   Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Solokl, et al. (6,173,269 B1) in view of Chaudhuri, et al. (6,223,171 B1).

As per claim 12, Solokl teaches as set forth above. Assuming arguendo indexing is not deemed to be specifically taught, Solokl does not specifically teach indexing into the categorized database with a web site address of the site. intended to receive the online purchase request.

Chaudhuri teaches that, database servers use indexes to enhance performance in processing

queries and to help access data in a database more efficiently (col. 1, lines 18-24). Chaudhuri

also teaches that although all possible indexes can be constructed, the number of process

configured to cooperatively operate with the browser program on the user's personal computer,

the software is resident on the Internet - the claim does not specify that the software resides

locally only that it cooperatively operate with the browser program on the user's personal

computer).

8.   Claims 3, 11, 13, and 19 rejected under 35 U.S.C. 103(a) as being unpatentable over

Solokl et al. (6,173,269 BI) as applied to claims 1, 9, and 20 above, and further in view of Li

(2002/0099700 Al) and/or McCallum, et al. Building Domain-Specific Search Engines with

Machine Learning Techniques, AAA] Spring Symposium on Artificial Intelligence Agents in

Cyberspace 1999, 1999.

As per claims 3, 11, 13, and 19, Solokl teaches as set forth above. However, Solokl does

not teach the use of executing a web crawler operation configured to (dynamically) search

through Internet web sites, identify commerce related sites, and store (dynamically) a categorized

list of the commerce related sites in a memory device. Although it is noted., as set forth above

that Solokl does teach the storing of a categorized list of the commerce related sites in a memory

device, i.e. database, and that the service can inspect a merchant site before it is added to the

service's approved list and prevent a sale by key work scan of the teen's purchase order prior to

approval, strongly implying some form of crawl er/agent/spider/bot (cols. 5-6, lines 56-12). Li

teaches a focused search engine and method that crawls through vast search spaces comprising

markup language documents, for example, and categorization of the search results initiated by

the search engine itself or in conjunction with the original search request, including shopping

sites, keywords and links (Figs. 1, -3, 5A-B, Abstract; [0010]-[0012], [0072], [0074]) 1.1

further teaches that a focused search engine employing focused crawling solves the problem of

scalability of the web, creates higher quality search results, because it takes into consideration

the hierarchical structure of the web pages while integrating techniques for both topic as well as,

site distillation ([0005]-[0011]). McCallum teaches that domain-specific search engines can be

powerful tools because they permit the user to find and utilize exactly what he wants by utilizing

a spider or web crawler that traverses the web looking for documents, i.e. web pages, to add to

the search engine and keep it current (Introduction, Efficient Spidering). McCallum further

teaches that building these search engines is a labor-intensive process, typically requiring

significant ongoing human effort and therefore automation of many aspects, of creating and

maintaining domain-specific search engines i.e. by use of spidering in an efficient topic-directed

manner that extracts topic relevant substrings and automatically adds documents into a topic

hierarchy, i.e. categorization, including html structure improves classification and. results

(Introduction, The Cora Search Engine, Efficient Spidering). It would have been obvious to one

of ordinary skill in the art at the time of the invention to have utilized a web crawler/spider either

initially or dynamically to keep the site maintained in Solokl as taught in Li/McCallum because

the spider/web crawler performs the functions of categorization and dynamic updating for the

reasons set forth in Li/McCallum and because keeping a site current/up-to-date/'dynamic

increases customer satisfaction because the consumers do not go to dead links, are kept current

of the available sites and hence increased satisfaction with the product and less reasons to utilize

another vendor and because the controls set forth in Solokl for specific products can't be

exercised if the data isn't current, as the site may no longer be selling that category of products or that specific product.

9.   Claims 5 and 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Solokl, et al. (6,173,269 BI) as applied to claims 1 and 9 above, and further in view of Leading Online Gateway for Teen Shopping Ensures Privacy, Safety and Security, PR newswire, June 28, 1999, pg. 1.

As per claim 5, Solokl teaches as set forth above. However, Solokl does not specifically teach that prohibiting the online purchase request includes blocking a user's credit card information from being transmitted to the web site offering the online purchases. PR Newswire teaches that www.rocketcash.corn, the first online teen retail market to receive the Children's Privacy Seal for children under 13 from TRUSTe, payment processing system ensures that the parent's, i.e. user's, credit card number is never used during purchases and that transactions are completed at merchant sites with RocketCash credit cards because it makes the Internet a safer and more comfortable forum for children shopping on the Web by the use of secure transactions and protection of personal information thus helping parents and teens shop online with confidence and freedom. It would have been obvious to one of ordinary skill in the art at the time of the invention to have included blocking a user's credit card information in Solokl as taught in PRNewswire for the explicit reasons set forth therein and because the endorsement of the Internet industry's most stringent privacy seal program would induce more parents to utilize the site, thus creating more traffic and ultimately more profits.

Claim 14 is rejected for the same reasons set forth in claims 5 and 9. 11. Claims 6, 8, 15,

and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Solokl, et al. (6,173,269

B1) as applied to claim 1, 9, and 18 above, and further in view of Leading Online Gateway for

Teen Shopping Ensures Privacy, Safety and Security, PR newswire, .June 28, 1999, pg. 1.

Solokl teaches as set forth above. Assuming arguendo that service.com is not deemed to

be an 1SP, Solokl does not specifically teach that the online purchase request is intercepted in an

Internet service provider, which is understood by the examiner to include the locally executed

software process configured to monitor Internet traffic on a local system, i.e. the browser

accompanying the ISP. PR Newswire teaches that www.rocketcash.com, the first online teen

retail market to receive the Children's Privacy Seal for children under 13 from TRUSTe, is the

only service in this market available to users of all ages specified in AOL's Parental Controls

program. Thus, PR Newswire teaches that parental controls in ISP's, such as AOL, can intercept

online purchase requests. PR Newswire further teaches that such parental controls address

privacy and security issues for teenagers shopping online. :ft would have been obvious to one of

ordinary skill in the art at the time of the invention to have included intercepting the online

purchase request in an 1SP in Solokl as taught in PR Newswire because of the privacy and

security issues facing children and the known benefits that accrue to any site that parents have in

protecting their children personal information and safety.

Response to Arguments

10.   Applicant's arguments filed on 4/15/04 have been fully considered but they are not

persuasive.

Applicant argues that Solokl does not teach, show or suggest a method for determining

whether an online purchase is prohibited as claimed but whether the purchase is allowed on the

basis of a predetermined list of allowed merchants.   Solokl is in fact teaching the claimed

invention and that by not allowing a purchase to be made is in fact prohibiting it from happening.

Solokl teach a predetermined list of allowed merchants where purchase can be made. If you are

not on the list, no purchase can be made therefore a teen is prohibited from buying any item from

this particular merchant and that is the claimed invention which is met by Solokl. As a result, the

rejection of claims 1-20 finally stands.

Conclusion

11.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

12.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Laneau whose telephone number is (703) 305-3973. The examiner can normally be reached on Mon-Fri from 8:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (703) 308-5183. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ronald Laneau
Examiner
Art Unit 3627

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June 12, 2004